

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----x
In re: : Chapter 11
: Case No. 17-13162 (SHL)
NAVILLUS TILE, INC., DBA NAVILLUS :
CONTRACTING :
Debtor. :
:-----x

**AMENDED ORDER PURSUANT TO 11 U.S.C §§ 105(A) AND 365(A) & (D) AND
FED. R. BANKR. P. 6004 AND 6006 APPROVING REJECTION OF CERTAIN
EXECUTORY CONTRACTS AND UNEXPIRED LEASES OF PERSONAL PROPERTY**

Upon the motion (the “Motion”)¹ of Navillus Tile, Inc., as debtor and debtor in possession (the “Debtor”), for entry of an amended order (the “Amended Order”) pursuant to sections 105(a) and 365(a) and (d) of title 11 of the United States Code (the “Bankruptcy Code”), Rules 6004 and 6006 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Rule 6006-1(a) of the Local Rules for the Southern District of New York (the “Local Rules”) (a) approving the rejection of the executory contracts and unexpired leases of personal property as set forth on **Exhibit A** attached hereto (the “Rejected Contracts and Leases”), and (b) granting related relief; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided; and it appearing that no other or further notice need be provided; and the relief being requested being in the best interests of Navillus and its estate and creditors; and the

¹ Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

Court having reviewed the Motion and having heard the statements in support of the relief requested therein at the hearing before the Court on January 24, 2018 (the “Hearing”); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court and after due deliberation and sufficient cause appearing therefor; IT IS HEREBY ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The Rejected Contracts and Leases are deemed rejected pursuant to Bankruptcy Code section 365(a), effective November 8, 2017.
3. Navillus shall cause a copy of this Amended Order to be mailed by first class mail to each known counterparty to a Rejected Contract or Lease, as set forth on the attached **Exhibit A**, on or before three (3) business days after the date of this Amended Order.
4. This Amended Order shall amend and supersede the Order of the Court entered on February 8, 2018 (Dkt. No. 225) in connection with the Motion. This Amended Order is entered to attach the correct listing of Rejected Contracts and Leases on **Exhibit A** hereto.
5. If Navillus discovers additional counterparties to a Rejected Contract and Lease, as set forth on the attached **Exhibit A**, not currently known, Navillus shall cause a copy of this Amended Order to be mailed by first class mail to each such newly discovered counterparty on or before three (3) business days of discovery thereof.
6. Navillus is authorized to take all actions necessary to effectuate the relief granted in this Amended Order in accordance with the Motion.

7. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Amended Order.

Dated: February 12, 2018
New York, New York

/s/ *Sean H. Lane*

HONORABLE SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE

In re Navillus Tile, Inc. dba Navillus Contracting (17-13162)
Exhibit A – Rejected Contracts and Leases

| Contract/Lease Counterparty | Address | Contract/Lease Description | Contract/Lease Number | Contract/Lease Date |
|------------------------------------|---|--|--|----------------------------|
| Ally | P.O. Box. 380902 Bloomington, MN 55438 | Finance Agreement for 2015 Jeep Cherokee VIN 1C4PJMCS5FW753173 | Acct. No. 024-9256-05000 Acct. No. 611-9253-55273 | 11/16/2016 |
| Ally | P.O. Box. 380902 Bloomington, MN 55438 | Retail Installment Contract/Lease for 2017 Cadillac XT5 VIN 1GYKNERS8HZ263107 | Acct. No. 024-9256-05000 Acct. No. 611-9253-55273 | 3/30/2017 |
| Chrysler Capital | P.O. Box 961279 Fort Worth, TX 76161 | Lease for 2017 Chrysler 300 VIN 2C3CCARG5HH530101 | Acct. No. 0020146884 | |
| Chrysler Capital | P.O. Box 961279 Fort Worth, TX 76161 | Lease for 2017 Chrysler 300 VIN 2C33CCAR59HH530103 | Acct. No. 0020146865 | |
| Chrysler Capital | P.O. Box 961279 Fort Worth, TX 76161 | Lease for 2017 Chrysler 300 VIN 2C33CCABG7HH506411 | Acct No. 0020302654 | |
| Chrysler Capital | P.O. Box 961279 Fort Worth, TX 76161 | Lease for 2017 Chrysler Pacificia VIN 2C4RC1BG4HR633956 | Acct. No. 0010151696 | |
| Chrysler Capital | P.O. Box 961279 Fort Worth, TX 76161 | Lease for 2017 Chrysler 300 VIN 2C3CCABG5HH506407 | Acct. No. 0020302660 | |
| Ford Motor Credit | P.O. Box 542000 | Retail Installment Contract/Lease | Acct. No. 54364385 | |

In re Navillus Tile, Inc. dba Navillus Contracting (17-13162)
Exhibit A – Rejected Contracts and Leases.

| Contract/Lease Counterparty | Address | Contract/Lease Description | Contract/Lease Number | Contract/Lease Date |
|--|--|--|---|---------------------|
| | Omaha, NE 68154 | | | |
| Ford Motor Credit | P.O. Box 542000 Omaha, NE 68154 | Retail Installment Contract/Lease | Acct. No. 54364424 | |
| Ford Motor Credit | P.O. Box 542000 Omaha, NE 68154 | Retail Installment Contract/Lease | Acct. No. 5470386 | |
| Manhattan Jeep Chrysler Dodge Inc. | 678 11 th Avenue New York, NY 10019 | Retail Installment Contract for 2015 Jeep Cherokee VIN 1C4PJMCS5FW753173 | 024-925805000 | 11/16/2016 |
| National General Insurance Company/New South Insurance Company | P.O. Box 3199 Winston Salem, NC 27102-3199 | Automobile Insurance Policy | Policy No. 2004809828 | 3/22/2017 |
| Nissan Motor Acceptance Corporation | 8900 Freeport Parkway Irving, TX 75063-2438 | Retail Installment Contract/Lease for 2017 Altima VIN 1N4AL3AP5HC109661 | Acct. Nos. 00102472230320001; 00102472234010001; 00102472234820001; 00102472229010001; 00102472233040001; 00102472238220001; 00102472233420001; 00102472232070001 | |
| Nissan Motor Acceptance Corporation | 8900 Freeport Parkway Irving, TX 75063-2438 | Retail Installment Contract/Lease for 2017 Altima VIN 1N4AL3AP7HC110407 | Acct. Nos. 00102472230320001; 00102472234010001; 00102472234820001; 00102472229010001; 00102472233040001; | |

In re Navillus Tile, Inc. dba Navillus Contracting (17-13162)
Exhibit A – Rejected Contracts and Leases

| Contract/Lease Counterparty | Address | Contract/Lease Description | Contract/Lease Number | Contract/Lease Date |
|-------------------------------------|---|---|--|---------------------|
| | | | 00102472238220001; 00102472233420001; 00102472232070001 | |
| Nissan Motor Acceptance Corporation | 8900 Freeport Parkway Irving, TX 75063-2438 | Retail Installment Contract/Lease for 2017 Altima VIN 1N4AL3AP9HC167210 | Acct. Nos. 00102472230320001; 00102472234010001; 00102472234820001; 00102472229010001; 00102472233040001; 00102472238220001; 00102472233420001; 00102472232070001 | |
| Nissan Motor Acceptance Corporation | 8900 Freeport Parkway Irving, TX 75063-2438 | Retail Installment Contract/Lease for 2017 Altima VIN 1N4AL3AP0HC168245 | Acct. Nos. 00102472230320001; 00102472234010001; 00102472234820001; 00102472229010001; 00102472233040001; 00102472238220001; 00102472233420001; 00102472232070001 | |
| Nissan Motor Acceptance Corporation | 8900 Freeport Parkway Irving, TX 75063-2438 | Retail Installment Contract/Lease for 2017 Altima VIN 1N4AL3AP0HN329844 | Acct. Nos. 00102472230320001; 00102472234010001; 00102472234820001; 00102472229010001; 00102472233040001; 00102472238220001; 00102472233420001; 00102472232070001 | |
| Nissan Motor Acceptance Corporation | 8900 Freeport Parkway Irving, TX 75063-2438 | Retail Installment Contract/Lease for 2017 Altima VIN 1N4AL3AP7HC168002 | Acct. Nos. 00102472230320001; 00102472234010001; 00102472234820001; 00102472229010001; | |

In re Navillus Tile, Inc. dba Navillus Contracting (17-13162)

Exhibit A – Rejected Contracts and Leases

| Contract/Lease Counterparty | Address | Contract/Lease Description | Contract/Lease Number | Contract/Lease Date |
|-------------------------------------|--|--|--|---------------------|
| | | | 00102472233040001; 00102472238220001; 00102472233420001; 00102472232070001 | |
| Nissan Motor Acceptance Corporation | 8900 Freeport Parkway Irving, TX 75063-2438 | Retail Installment Contract/Lease for 2017 Altima VIN 1N4AL3AP0HC168150 | Acct. Nos. 00102472230320001; 00102472234010001; 00102472234820001; 00102472229010001; 00102472233040001; 00102472238220001; 00102472233420001; 00102472232070001 | |
| Nissan Motor Acceptance Corporation | 8900 Freeport Parkway Irving, TX 75063-2438 | Retail Installment Contract/Lease for 2017 Altima VIN 1N4AL3AP2HC168201 | Acct. Nos. 00102472230320001; 00102472234010001; 00102472234820001; 00102472229010001; 00102472233040001; 00102472238220001; 00102472233420001; 00102472232070001 | |
| Potamkin Cadillac Buick Chevrolet | 706 11 th Avenue New York, NY 10019 | Retail Installment Contract for 2017 Cadillac Escalade VIN 1GYS4BKJ7HR113895 | N/A | 2017 |
| Verizon | P.O. Box 15043 Albany, NY 12212-5043 | Internet Service Agreement | Acct. No. U0145851 | |